

REMARKS

Claims 16 - 31 and 33 - 35 are currently pending in the present application with claim 32 being withdrawn.

In the Office Action, the oath or declaration is noted to be defective. Additionally, in the Office Action, claims 16 - 19, 23, and 28 - 31 are rejected under 35 U.S.C. §102(b) as being anticipated by Janke US Patent No. 3,702,030. Also, in the Office Action, claims 20 - 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of St. Louis US Patent Application 2003/0097764. Furthermore, in the Office Action, claim 22 is rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Park et al US Patent Application No. 2005/0252028. Moreover, in the Office Action, claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Worst US Patent No. 3,309,783. Also, in the Office Action, claims 25 - 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030. Moreover, in the Office Action, claims 33 - 35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Kohlman et al US Patent No. 6,381,870.

With respect to the oath or declaration being defective, it is noted that the Declaration filed on April 4, 2007 is in full compliance with the requirements of a declaration. The Office Action objected to the originally filed Declaration as allegedly defective because the Declaration refers to 37 C.F.R. §1.56(a), instead of 37 C.F.R. §1.56. Enclosed herewith is a copy of a document signed by the Commissioner of Patents indicating that the Patent Office accepts Declarations referring to 37 C.F.R. §1.56(a), provided those Declarations were filed before June 1, 2008. The Declaration for the present application was filed on April 4, 2007. Accordingly, it is believed that the Declaration filed with the application should be accepted. Withdrawal of the objection to the Declaration is respectfully requested.

With respect to the prior art rejections of claims 16 - 31 and 33 - 35, favorable reconsideration is respectfully requested in view of the following comments.

The Present Invention

The present invention is directed to an inventive method for drying laundry in a dryer and an inventive laundry dryer. The inventive method, which may be performed in the inventive laundry dryer, advantageously performs an anti-creasing cycle that minimizes the formation of undesirable creases in the laundry being dried. Attention is directed to claim 16 of the present application, which recites a method for drying laundry in a dryer comprising a housing and a drum receiving the laundry and mounted for rotation with respect to the housing. The inventive method includes, as recited in claim 16, performing a drying program including a heating-up phase, a drying phase, and a cooling-down phase and performing an anti-crease cycle. The anti-crease cycle has alternating intervals including rotary movement time intervals, in which the drum is rotated to agitate the laundry, and stoppage time intervals, in which the drum stops rotating and the laundry is at rest. Furthermore, the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter.

The Rejection of Claims 16 - 19, 23, and 28 - 31 Under 35 U.S.C. §102(b) as Anticipated by Janke US Patent No. 3,702,030

Claims 16 - 19, 23, and 28 - 31 are rejected under 35 U.S.C. §102(b) as being anticipated by Janke US Patent No. 3,702,030.

Janke US Patent No. 3,702,030 discloses a clothes dryer 10 including a drum 11 having a bulkhead 12 in which there is an inlet aperture 13 and a drive motor 17 to drive a fan and connected in a driving relationship with the drum 11. The clothes dryer 10 also includes a digital control circuit 23, a digital counter circuit 26, a memory 28 and a control logic circuit 27. The control logic circuit 27 includes a plurality of outputs for controlling various machine functions and, accordingly, for controlling the program of the dryer. Janke '030 discloses a method of controlling a fabric treating apparatus

comprising the steps of (a) initiating a fabric treating operation; (b) sensing a parameter related to the condition of the fabric within the treatment zone; (c) counting pulses from a source of timing signals; (d) repeatedly terminating and restarting the count until said sensed parameter reaches a predetermined value; and (e) terminating the fabric treating operation upon the accumulation of a preselected count.

The Office Action asserts that Janke '030 discloses performing an anti-crease cycle that has alternating intervals including rotary movement time intervals, in which the drum is rotated to agitate the laundry, and stoppage time intervals, in which the drum stops rotating and the laundry is at rest, with the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter.

The Office Action also refers to the arguments previously advanced by Applicants regarding the shortcomings of Janke '030. Specifically, the Office Action on Page 11 characterizes Applicants' argument as follows: "Applicants argue that the claims should be allowed over the Janke reference because [of] the desirability of an anti-crease cycle." However, Applicants are not contending that the claims of the present application are patentable over Janke '030 for the reason that Janke '030 does not disclose an anti-crease cycle. Instead, Applicants contend that Janke '030 does not disclose or suggest the novel features of Applicants' method for drying laundry in a dryer and laundry dryer and the Examiner's attention is kindly drawn to these novel features as now discussed in detail.

As noted, in the method for drying laundry recited in claim 16 of the present application, an anti-crease cycle has alternating intervals including rotary movement time intervals, in which the drum is rotated to agitate the laundry, and stoppage time intervals, in which the drum stops rotating and the laundry is at rest, whereupon the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter. The Office Action on Page 8 asserts that Janke '030 discloses a control device 23 coupled to the motor and controlling rotation of the drum, the control device performing an anti-crease cycle including alternately rotating the drum during rotary movement intervals and stopping the

rotation of the drum during stoppage time intervals, the control device decreasing the duration of the rotary movement intervals in relation to the stoppage time intervals in response to an operating parameter. The Office Action refers to Col. 5, lines 18 - 48, of Janke '030 as allegedly providing this disclosure.

However, it is submitted that Janke '030 merely discloses that its control logic circuit controls a drive motor 17 for controlling rotation of the drum 11 and does not even hint at the desirability of a laundry drying cycle in which rotary movement time intervals, during which the drum is rotated to agitate the laundry, and stoppage time intervals, during which the drum stops rotating and the laundry is at rest, are controlled in relation to one another, let alone controlled in relation to one another in response to an operating parameter. For example, Col. 9, lines 3 - 9, of Janke '030 describes a portion of the execution of the Janke '030 dryer program wherein the drive motor 17 need only be energized on the even numbered steps of the drying program yet one of skill in the art, in considering this prescribed energization of the drive motor 17, would gain no hint or suggestion as to the desirability of an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter, as is recited in, for example, claim 16 of the present application. In view of the absence in Janke '030 of any mention of an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter, it cannot be asserted that Janke '030 anticipates the present invention under 35 U.S.C. §102(b) and the rejection of claims 16 - 19, 23, and 28 - 31 under 35 U.S.C. §102(b) as being anticipated by Janke '030 should be withdrawn.

The Rejection of Claims 20 - 21 Under 35 U.S.C. §103(a) as Unpatentable Over Janke US Patent No. 3,702,030 in View of St. Louis US Patent Application 2003/0097764

Claims 20 - 21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of St. Louis US Patent Application

2003/0097764. With regard to St. Louis US Patent Application 2003/0097764, the Office Action asserts that this reference discloses a pre-selected drying program selected by the user. While St. Louis US Patent Application 2003/0097764 may disclose such a pre-selected drying program selected by the user, it is not seen, and the Office Action has not alleged, that St. Louis US Patent Application 2003/0097764 teaches or discloses an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter. It is respectfully submitted that the rejection of claims 20 - 21 under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of St. Louis US Patent Application 2003/0097764 cannot be sustained in view of the failure of Janke US Patent No. 3,702,030 to teach or disclose the present invention and the failure of St. Louis US Patent Application 2003/0097764 to remedy the deficiencies of Janke '030.

The Rejection of Claim 22 Under 35 U.S.C. §103(a) as Unpatentable Over Janke US Patent No. 3,702,030 in View of Park et al US Patent Application No. 2005/0252028

Claim 22 is rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Park et al US Patent Application No. 2005/0252028. It is submitted that Park et al US Patent Application No. 2005/0252028 is not available as prior art against the present application. It is respectfully submitted that the rejection of claim 22 under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Park et al US Patent Application No. 2005/0252028 cannot be sustained in view of the failure of Janke US Patent No. 3,702,030 to teach or disclose the present invention and the fact that Park et al US Patent Application No. 2005/0252028 is not available as prior art against the present application to remedy the deficiencies of Janke '030.

The Rejection of Claim 24 Under 35 U.S.C. §103(a) as Unpatentable Over Janke US Patent No. 3,702,030 in View of Worst US Patent No. 3,309,783

Claim 24 is rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Worst US Patent No. 3,309,783. With regard to Worst US Patent No. 3,309,783, this reference is alleged to disclose a drum reversing feature for a clothes dryer. While that may be so, it is not seen, and the Office Action has not alleged, that Worst US Patent No. 3,309,783 teaches or discloses an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter. It is respectfully submitted that the rejection of claim 24 under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Worst US Patent No. 3,309,783 cannot be sustained in view of the failure of Janke US Patent No. 3,702,030 to teach or disclose the present invention and the failure of Worst US Patent No. 3,309,783 to remedy the deficiencies of Janke '030.

The Rejection of Claims 25 - 27 Under 35 U.S.C. §103(a) as Unpatentable Over Janke US Patent No. 3,702,030

Claims 25 - 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030. In view of the absence in Janke '030 of any mention of an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter, it cannot be asserted that Janke '030 renders obvious the subject matter of claims 25 - 27 of the present application under 35 U.S.C. §103(a).

The Rejection of Claims 33 - 35 Under 35 U.S.C. §103(a) as Unpatentable Over Janke US Patent No. 3,702,030 in View of Kohlman et al US Patent No. 6,381,870

Claims 33 - 35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Kohlman et al US Patent No. 6,381,870. While Kohlman et al US Patent No. 6,381,870 may disclose an anti-crease feature, it is not seen, and the Office Action has not alleged, that Kohlman et al US Patent No. 6,381,870 teaches or discloses an anti-crease cycle in which the duration of the rotary movement intervals decreases in relation to the stoppage time intervals in response to an operating parameter. It is respectfully submitted that the rejection of claims 33 - 35 under 35 U.S.C. §103(a) as being unpatentable over Janke US Patent No. 3,702,030 in view of Kohlman et al US Patent No. 6,381,870 cannot be sustained in view of the failure of Janke US Patent No. 3,702,030 to teach or disclose the present invention and the failure of Kohlman et al US Patent No. 6,381,870 to remedy the deficiencies of Janke '030.

CONCLUSION

In view of the above, allowance of claims 16 - 31 and 33 - 35 and consideration and allowance of withdrawn claim 32 are respectfully requested. If the Examiner has any questions regarding this Amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted,

/James E. Howard/

James E. Howard
Registration No. 39,715
August 12, 2009

BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com